

STATE OF IOWA
BOARD OF EDUCATIONAL EXAMINERS
Grimes State Office Building – 400 East 14th Street
Des Moines, Iowa 50319-0147

Minutes

April 4, 2008

The Board of Educational Examiners held its monthly meeting on April 4, 2008. Board Chair, Judy Jeffrey, called the meeting to order. Members attending were John Aboud, Ying Ying Chen, Brad Dirks, Tammy Duehr, Jeffrey Henderson, Judy Jeffrey, Merle Johnson, Thomas Paulsen, Greg Robinson, and Bev Smith. Also in attendance were Dr. George Maurer, Executive Director of the Board, and Christie Scase, Assistant Attorney General. Jean Seeland was unable to attend the meeting.

Merle Johnson moved, with a second by Bev Smith, to approve the agenda.

MOTION CARRIED UNANIMOUSLY.

Ying Ying Chen moved, with a second by Tammy Duehr, that the Board go into closed session for the purposes of discussing whether to initiate licensee disciplinary proceedings and discussing the decision to be rendered in a contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). **MOTION CARRIED UNANIMOUSLY.**

Tammy Duehr moved, with a second by Ying Ying Chen, that in **case number 07-14**, In the Matter of Arnold Snook, the Board find probable cause to establish a violation of the following provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(6)d, 25.3(8)a and b, and order this case set for hearing. Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Henderson – yes; Jeffrey – yes; Johnson – yes; Paulsen – yes; Robinson – yes; and Smith – yes. **MOTION CARRIED UNANIMOUSLY.**

1 Ying Ying moved, with a second by Tammy Duehr, that in **case number 07-16**, In
2 the Matter of Arnold Snook, the Board find probable cause to establish a violation
3 of the following provisions of the Code of Professional Conduct and Ethics, 282 IAC
4 25.3(6)d, 25.3(8)a and b, and order this case set for hearing. Roll call vote: Aboud
5 – no; Chen – yes; Dirks – yes; Duehr – yes; Henderson – yes; Jeffrey – yes; Johnson
6 – yes; Paulsen – yes; Robinson – yes; and Smith – yes. **MOTION CARRIED.**

7
8 Tammy Duehr moved, with a second by Ying Ying Chen, that in **case number 07-**
9 **35**, the Board find that, although one or more of the allegations in the complaint
10 may be substantiated by the witnesses interviewed in the course of the
11 investigation [and/or] the documents gathered in the course of the investigation,
12 and the allegations may constitute a technical violation of the board's statute or
13 administrative rules; taking into account these circumstances, and the Board's
14 mission to act upon those complaints which involve a threat to the health and
15 safety of students and the public, the Board will not pursue formal disciplinary
16 action in this matter. Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr –
17 yes; Henderson – yes; Jeffrey – yes; Johnson – yes; Paulsen – yes; Robinson – yes;
18 and Smith – yes. **MOTION CARRIED UNANIMOUSLY.**

19
20 Ying Ying moved, with a second by Tammy Duehr, that in **case number 07-43**, In
21 the Matter of Deborah Ragan, the Board find probable cause to establish a violation
22 of the following provisions of the Code of Professional Conduct and Ethics, 282 IAC
23 25.3(1)b, 25.3(4))a, b and d, and order this case set for hearing. Roll call vote:
24 Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Henderson – yes; Jeffrey – yes;
25 Johnson – yes; Paulsen – yes; Robinson – yes; and Smith – yes. **MOTION**
26 **CARRIED UNANIMOUSLY.**

27
28 Tammy Duehr moved, with a second by Ying Ying Chen, that in **case number 07-**
29 **44**, the Board find that the evidence gathered in the investigation, including
30 witness statements and the documentary evidence, does not corroborate the
31 allegations in the complaint, and that the board therefore lacks probable cause to
32 proceed with this matter. Roll call vote: Aboud – yes; Chen – yes; Dirks – yes;

1 Duehr – yes; Henderson – yes; Jeffrey – yes; Johnson – yes; Paulsen – yes;
2 Robinson – yes; and Smith – yes. **MOTION CARRIED UNANIMOUSLY.**

3
4 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number 08-**
5 **01**, the Board find that the evidence gathered in the investigation, including
6 witness statements and the documentary evidence, does not corroborate the
7 allegations in the complaint, and that the board therefore lacks probable cause to
8 proceed with this matter. Roll call vote: Aboud – yes; Chen – yes; Dirks – yes;
9 Duehr – yes; Henderson – yes; Jeffrey – yes; Johnson – yes; Paulsen – yes;
10 Robinson – yes; and Smith – yes. **MOTION CARRIED UNANIMOUSLY.**

11
12 Tammy Duehr moved, with a second by Ying Ying Chen, that in **case number 08-**
13 **02**, the Board find that the evidence gathered in the investigation, including
14 witness statements and the documentary evidence, does not corroborate the
15 allegations in the complaint, and that the board therefore lacks probable cause to
16 proceed with this matter. Roll call vote: Aboud – yes; Chen – yes; Dirks – yes;
17 Duehr – yes; Henderson – yes; Jeffrey – yes; Johnson – yes; Paulsen – yes;
18 Robinson – yes; and Smith – yes. **MOTION CARRIED UNANIMOUSLY.**

19
20 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number 08-**
21 **03**, the Board find that the evidence gathered in the investigation, including
22 witness statements and the documentary evidence, does not corroborate the
23 allegations in the complaint, and that the board therefore lacks probable cause to
24 proceed with this matter. Roll call vote: Aboud – yes; Chen – yes; Dirks – yes;
25 Duehr – yes; Henderson – yes; Jeffrey – yes; Johnson – yes; Paulsen – yes;
26 Robinson – yes; and Smith – yes. **MOTION CARRIED UNANIMOUSLY.**

27
28 Tammy Duehr moved, with a second by Ying Ying Chen, that in **case number 08-**
29 **04**, the Board find that the evidence gathered in the investigation, including
30 witness statements and the documentary evidence, does not corroborate the
31 allegations in the complaint, and that the board therefore lacks probable cause to
32 proceed with this matter. Roll call vote: Aboud – yes; Chen – yes; Dirks – yes;

1 Duehr – yes; Henderson – yes; Jeffrey – yes; Johnson – yes; Paulsen – yes;
2 Robinson – yes; and Smith – yes. **MOTION CARRIED UNANIMOUSLY.**

3
4 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number 07-**
5 **22**, In the Matter of Ashley Keller, the Board initiate review of the proposed decision
6 to examine whether the proposed sanction is appropriate in light of the findings.
7 Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Henderson – yes;
8 Jeffrey – yes; Johnson – yes; Paulsen – yes; Robinson – yes; and Smith – yes.

9 **MOTION CARRIED UNANIMOUSLY.**

10
11 Tammy Duehr moved, with a second by Ying Ying Chen, that in **case number 07-**
12 **30**, In the Matter of Amir Hadzic, the Board reject the stipulation and settlement
13 submitted by the parties, and return the case to the parties for further proceedings
14 consistent with this decision. Roll call vote: Aboud – yes; Chen – yes; Dirks – yes;
15 Duehr – yes; Henderson – recuse; Jeffrey – yes; Johnson – yes; Paulsen – yes;
16 Robinson – yes; and Smith – yes. **MOTION CARRIED.**

17
18 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number 06-**
19 **41**, the Board accept the Respondent’s waiver of hearing and voluntary surrender
20 and that the Board issue an order permanently revoking the Respondent’s license
21 with no possibility of reinstatement. Roll call vote: Aboud – yes; Chen – yes; Dirks
22 – yes; Duehr – yes; Henderson – yes; Jeffrey – yes; Johnson – yes; Paulsen – yes;
23 Robinson – yes; and Smith – yes. **MOTION CARRIED UNANIMOUSLY.**

24
25 Merle Johnson moved, with a second by Jeff Henderson, to approve the
26 March 7, 2008, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

27
28 Board Reports:

29 John Aboud reported that the Iowa Music Educators, Bandmasters Association,
30 Iowa String Teachers, and Iowa Choral Directors’ Association is in the process of
31 polling educators throughout the state to see if the broadness of the licensure is
32 hurting their profession and the ability to teach students. Since music teachers are
33 one of the shortage areas, they want to get some hard data so they can work with

1 universities in seeing where the profession is going and needs to go. He hopes to
2 have additional information to be able to pass on later this summer.

3
4 Bev Smith reported that she did a presentation with her first year mentoring and
5 instruction group regarding Chapters 25 and 26.

6
7 Greg Robinson reported that he completed his Evaluator 2 training.

8
9 Brad Dirks inquired as to the possibility of having the material for the board
10 meetings on computer versus having paper copies.

11
12 Jeff Henderson reported that he will be attending a make-up session to complete
13 his evaluator approval training.

14
15 Public Comment:

16 There were no public comments.

17
18 Executive Director's Report:

19 Executive Director, Dr. George Maurer, presented the executive director's report.

20
21 The House Study Bill 787 proposing a transfer of \$300,000 from the Board of
22 Educational Examiners' budget to the Department of Education's budget was
23 discussed.

24
25 We are moving forward with the electronic fingerprint scanning system. The
26 electronic scanning will reduce the workload with our department and the
27 Department of Public Safety. At the beginning of next school year, we should be
28 able to begin electronically scanning fingerprints. Applicants will still have the
29 choice of using the cards that are being used now instead of having their
30 fingerprints electronically scanned.

31
32 We will be adding an IT person to our department who will hopefully be in place by
33 the beginning of the next fiscal year.

1
2 Rules:

3 Merle Johnson moved, with a second by Bev Smith, to adopt the change to Chapter
4 14.142(2) to add a new section regarding PK-8 Principal and 5-12 Principal out-of-
5 state applicants. **MOTION CARRIED UNANIMOUSLY.**

6
7 Jeff Henderson moved with a second by Tammy Duehr, to file under Notice of
8 Intended Action, the proposed changes to Chapter 14.123 regarding Requirements
9 for an original teaching subject area endorsement. **MOTION CARRIED**
10 **UNANIMOUSLY.**

11
12 Greg Robinson moved with a second by Merle Johnson, to file under Notice of
13 Intended Action, the proposed changes to Chapter 15.5 to repeal the Educational
14 Strategist. **MOTION CARRIED UNANIMOUSLY.**

15
16 Items for Discussion:

17 The proposed changes to Chapter 14.142(3)(c) regarding Superintendent / AEA
18 administrator were discussed and will be brought back to the May meeting for
19 noticing.

20
21 The proposed changes to Chapter 14.114 regarding Requirements for an
22 administrator's license were discussed and will be brought back to the May meeting
23 for noticing with changes.

24
25 Reports:

26 Geri McMahon presented the National Staff Development Conference Report,
27 Troops to Teacher Conference Report, a report regarding an India Teacher
28 Exchange program, and the Annual Renewal Program Report.

29
30 John Aboud presented the Operating Guidelines Committee's recommendations.

31 Several changes were proposed to be made to the guidelines:

- 32 1. All committee and elections be held annually.

2. Increase the number of board members on committees so each board member be assigned to a committee.
3. Correct Section 1, I to reflect the correct statute on 69.15.
4. Change Section C to include that the results of the election of officers will be announced.

Dr. Maurer presented the FY 09 board calendar.

Petitions for Waiver:

Greg Robinson moved, with a second by John Aboud, that in **PFW 08-08**, Alan Lampman, the Board deny the Petition for Waiver. However, as long as Algebra I is a ninth grade course, he may continue to teach the course. **MOTION CARRIED.** Smith – recused and Johnson was absent.

John Aboud moved, with a second by Greg Robinson, that in **PFW 08-10**, Ellen Shay, the Board deny the Petition for Waiver. **MOTION CARRIED.** Smith – recused and Johnson was absent.

John Aboud moved, with a second by Greg Robinson, that in **PFW 08-11**, Gretchen Price, the Board deny the Petition for Waiver. **MOTION CARRIED.** Johnson was absent.

John Aboud moved, with a second by Brad Dirks, that in **PFW 08-12**, Keith Buckridge, the Board deny the Petition for Waiver. **MOTION CARRIED.** Johnson was absent.

There being no further business, Judy Jeffrey adjourned the meeting.